

REMARKS

Claims 54, 55, 56 and 58 are pending in the present application. In the Office Action dated July 2, 2004, the Examiner rejected claims 54, 55, 56 and 58 under 35 U.S.C. § 103(a) as being unpatentable over Yu '699 in view of White '070. Claims 54, 55, 56 and 58 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-9 of U.S. Patent No. 6,296,557. In this response, the Applicant proposes to amend claims 54 and 58, and add new claims 60-64.

Obviousness-Type Double Patenting Rejection

In response to the Office Action, the Applicant is filing a terminal disclaimer to obviate the double patenting rejection. Therefore, the obviousness-type double patenting rejection should be withdrawn.

Claim Rejections Under 35 U.S.C. § 103(a)

Applicant's attorney and Examiner Grant had a phone interview on August 5, 2004 to discuss the patentability of claims 54-56 and 58 and the present rejections. As discussed and agreed to during the phone interview, claim 54, as proposed to be amended, overcomes the present rejections. Specifically, the cited references do not disclose or fairly suggest "providing a substrate holder that carries the microelectronic substrate and at least one membrane having a first membrane portion and a second membrane portion, the at least one membrane disposed between the substrate holder and the microelectronic substrate" in combination with the other recited limitations. Claims depending from claim 54 are also allowable due to depending from an allowable base claim and further in view of the additional limitations recited in the dependent claims.

Applicant also proposes to add new claims 60-64. With regard to independent claim 60, the cited references do not disclose or fairly suggest "providing a substrate holder that carries the microelectronic substrate and at least one membrane having a first membrane portion and a second membrane portion, the at least one membrane disposed between the substrate holder and the microelectronic substrate" in combination with the other recited limitations. Claims depending from claim 60 are also allowable due to depending from an allowable base claim and further in view of the additional limitations recited in the dependent claims.

All of the claims remaining in the application (claims 54-56, 58 and 60-64) are now clearly allowable. Favorable consideration and a Notice of Allowance are earnestly solicited.

Respectfully submitted,
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Enclosures:

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Fee Transmittal Sheet (+ copy)
Terminal Disclaimer

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